

**I: INDUSTRIAL DISTRICT**

**154.210 INTENT.**

The I: Industrial District is established to provide for development of industrial uses. Permitted uses in this district tend to generate heavy traffic, require extensive community facilities, and may require outdoor storage and operation. Extensive amounts of outdoor storage and operations require substantial screening to protect the surrounding properties from potential negative impacts. The permitted uses provided for in this district should be separated from residential districts with adequate setbacks and screening.

**154.211 PERMITTED USES.**

(A) *Primary uses.*

- (1) Any establishment engaged in production, assembly, disassembly, cleaning, servicing, testing, repair, or storage of materials, goods, or products;
- (2) Agriculture;
- (3) Automobile accessory stores;
- (4) Automobile laundries and car washes;
- (5) Automobile service and gas stations;
- (6) Building material sales;
- (7) Child care center;
- (8) Community centers;
- (9) Contractor yard and offices;
- (9a) Convention halls and meeting halls; (*Ord. 19-20, 2/18/20*)
- (10) Distillery, brewery or winery;
- (11) Distribution facilities and truck terminals;
- (12) Dry-cleaning and laundry;
- (13) Electric power generating facilities, public, subject to the following development standards:

(a) For nonrenewable power generation, all building and structures (including outdoor storage and/or operations) directly associated with power generation shall not be located within two-hundred (200) feet of any property line;

(b) For renewable energy systems, see §§ 154.505 to 154.516. (*Ord. 17-20, 2/18/20*)

- (14) Exterminating shops;
- (15) Garages for storage, repair, and servicing of motor or recreational vehicles;
- (16) Greenhouses, wholesale and retail;
- (17) Gun shops and gunsmith shops;
- (18) Highway maintenance shops and yards;
- (19) Kennels;
- (20) Libraries;

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- (21) Locksmith shops;
- (22) Manufacturing retailer;
- (23) Medical clinics and institutions, hospitals;
- (24) Motor vehicle sales;
- (25) Offices, business and professional;
- (26) Parking lots;
- (27) Printing services;
- (28) Private park – passive;
- (29) Public park – active or passive;
- (30) Public utility and service uses, including:
  - (a) Bus stations, bus terminals, bus garages, and bus lots;
  - (b) Electric substations and distribution centers;
  - (c) Fire stations;
  - (d) Gas regulator stations;
  - (e) Police stations;
  - (f) Railroad passenger stations;
  - (g) Telephone exchanges, telephone transmission equipment buildings, and microwave relay towers;
  - (h) Utility service stations, electric, gas, telephone, and water; and,
  - (i) Waterworks, reservoirs, pumping stations, and filtration plants, and sewage treatment plants, public;
- (31) Radar installations and towers;
- (32) Radio and television studios, stations and towers;
- (33) Recreational vehicle sales, rentals, parts, and storage;
- (34) Recycling drop-off center;
- (35) Religious uses;
- (36) Restaurants;
- (37) Schools;
- (38) Stadiums, auditoriums, and arenas, open or enclosed;
- (39) Short-term rental, owner occupied; (*Ord. 19-20, 2/18/20*)
- (40) Trailer sales, rentals, parts, and storage
- (41) Veterinary clinic and hospitals; and
- (42) Wireless telecommunication facilities, per the requirements of § 154.457(C)(1)(a).

(B) *Special uses.*

- (1) Amusement park;
- (2) Automobile testing grounds;
- (3) Air, railroad, and water freight terminals;
- (4) Airports and heliports/helipads;
- (5) Asphalt producing and processing facilities
- (6) Electric power generating facilities, private, subject to the following development standards:

(a) For nonrenewable power generation, all building and structures (including outdoor storage and/or operations) directly associated with power generation shall not be located within two-hundred (200) feet of any property line;

(b) For renewable energy systems, see §§ 154.505 to 154.516. (*Ord. 17-20, 2/18/20*)

(7) Fairgrounds;

(8) Junkyards and salvage yards;

(9) Mining and/or processing of sand, gravel or other aggregate, subject to the following development standards:

(a) The operations and uses shall be setback a minimum of one-hundred (100) feet of any property line; provided, however, when the adjacent property is being mined for sand and/or gravel, the setback requirements may be waived along any common property line;

(b) Beginning at the above required setback, the banks of all excavation areas shall not be excavated to a slope greater than forty-five (45) degrees from the horizontal;

(c) A continuous solid fence or wall with barbed wire located on top of the fence or wall shall be erected and maintained along the property line around the entire site;

(d) *Required landscaping.*

1. An evergreen planting screen shall be required around the entire site within the required setback as follows:

a. *Adjoining or across from a residential district or residential portion of a PUD.* Type 2: Full Screening Landscaping per the requirements of § 154.332; Table 154-1; or,

b. *Adjoining or across from all other districts.* The screen planting shall be comprised of six (6) foot tall evergreen trees planted twelve and one-half (12 ½) feet on center.

2. Provided, however, when the adjoining property is being mined for sand and/or gravel, the fence and screen planting requirements may be waived along any common property line.

(e) Driveways and interior access drives must be paved for the first two-hundred-fifty (250) feet from their access to the public or private street;

(f) Prior to approval of the special use every applicant shall execute an acceptable indemnity agreement in favor of the Board of County Commissioners in a form approved by the Board of Zoning Appeals and the Legislative Body, which indemnifying

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agreement shall be for the purpose of assuring the restoration, rehabilitation and excavation of mined out areas within a reasonable time and to the satisfaction of the Board of Zoning Appeals and the Legislative Body.

- (10) Penal and correctional institutions;
- (11) Private park – active;
- (12) Railroad switching and classification yards;
- (13) Racetracks;
- (14) Recycling processing center;
- (15) Sanitary landfill or solid or liquid waste disposal facility, subject to the

following development standards:

(a) No such special use shall be operated on a site of less than forty (40) acres in area;

(b) No portion of the landfill shall be located within one-hundred (100) feet of any property line; provided, however, when the adjacent property is being used for the sanitary landfill or solid or liquid waste disposal facility, the setback requirements may be waived along any common property line;

(c) No sanitary landfill, or solid or liquid waste disposal facility, shall be approved as a special use which does not receive approval from the County Drainage Board; and

(d) No sanitary landfill, or solid or liquid waste disposal facility, shall be approved as a special use until the applicant therefore and the owner of the proposed site therefore shall execute an agreement in favor of St. Joseph County by the terms of which such applicant and owner shall agree to maintain the site until being utilized for the special use, and to restore and reclaim the site within a time period specified in such agreement, following termination of such use, according to the following minimum specifications:

1. A uniform contour which blends in with the topography of the surrounding area shall be established and maintained throughout the area;

2. Impervious soil and soil suitable for growing vegetation, shall be replaced over the site to permanent uniform depths not less than that then required by applicable state standards and regulations;

3. The site shall be seeded, landscaped, and maintained with perennial plant material until a permanent type ground cover is established to prevent erosion.

(e) *Required landscaping.*

1. An evergreen planting screen shall be required around the entire site within the required setback as follows:

a. *Adjoining or across from a residential district or residential portion of a PUD.* Type 2: Full Screening Landscaping per the requirements of § 154.332; Table 154-1; or,

b. *Adjoining or across from all other districts.* The screen planting shall be comprised of six (6) foot tall evergreen trees planted twelve and one-half (12 ½) feet on center.

2. Provided, however, when the adjacent property is being used for the sanitary landfill or solid or liquid waste disposal facility, the setback requirements may be waived along any common property line;

- (16) Sewage treatment plants;
- (17) Shooting ranges;
- (18) Slaughterhouse;
- (19) Theaters, drive-in;
- (20) Tourist camps;
- (21) Wireless telecommunication facilities, per the requirements of § 154.457(C)(1)(b).

(C) *Accessory uses.* See § 154.070. Further, accessory uses, incidental to and on the same lot as a permitted principal use shall also be permitted, including the following:

- (1) One (1) single-family dwelling unit; and
- (2) Renewable energy systems. See §§ 154.505 through 154.51. (*Ord. 17-20, 2/18/20*)

(D) *Temporary uses.* See § 154.071

(E) *Controlled uses.* See §§ 154.475 through 154.478. (*Ord. No. 19-20, 2/18/20*)

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**154.212 GENERAL DEVELOPMENT STANDARDS.**

(A) *Minimum lot width.* 100 feet.

(B) *Minimum yards and building setback.* Yards shall be as follows, except when this Chapter specifies a greater yard requirement for a particular use:

Front yard and building setback	50 feet
Side yard and building setback	
Side yard abutting an industrial district	10 feet
Side yard abutting a business/commercial district	20 feet
Side yard abutting an agricultural district or a residential district	50 feet
Rear yard and building setback	
Rear yard abutting an industrial district	10 feet
Rear yard abutting a business/commercial district	20 feet
Rear yard abutting an agricultural district or a residential district	50 feet

(C) *Use of yards.* All minimum yards shall be landscaped in compliance with the requirements for perimeter yard landscaping as set forth in §§ 154.330 through 154.339 and shall be maintained as open space free from buildings or structures except where expressly permitted below:

(1) *Minimum front yards.* Minimum front yards may include:

(a) Along limited access highways may include: loading areas located no closer to the right-of-way than 15 feet;

(b) All front yards may include: parking areas, interior access drives, interior access driveways, and fuel pumps, air pumps, water pumps, and freestanding canopies in conjunction with automobile service stations located no closer to the right-of-way than 15 feet; driveways, greenways, sidewalks, fences, or signs as regulated by §§ 154.370 through 154.381.

(2) *Minimum front yards across from a residential district or residential use.*

Minimum front yards across from a residential district or residential use may include: driveways, greenways, sidewalks, fences, and signs as regulated by §§ 154.370 through 154.381.

(3) *Minimum side and rear yards.* Minimum side and rear yards may include:

interior access drives, interior access driveways, greenways, sidewalks, and fences.

(4) *Minimum side and rear yards abutting a residential district or residential use.*

Minimum side and rear yards abutting a residential district or residential use may include interior access driveways, greenways, sidewalks, and fences.

(Ord. 52-20; 8/25/20)

(D) *Maximum building height.* Unlimited, however, when a building or structure exceeds fifty (50) feet in height, the yard required above shall be increased by two (2) feet for each one (1) foot of building height over fifty (50) feet.

(E) *Landscaping.* See §§ 154.330 through 154.339.

(F) *Lighting.* See §§ 154.350 through 154.355.

(G) *Signs.* See §§ 154.370 through 154.380. (Ord. 52-20; 8/25/20)

(H) *Parking.* See §§ 154.415 through 154.423.

(I) *Loading.* See §§ 154.435 through 154.442.

(J) *Greenway connection.* Uses which encourage public access located on a lot or parcel which abuts any portion of a greenway shall provide a direct linkage from the project to such greenway.

(K) *Pedestrian connection.* Uses located on a lot or parcel which abuts any portion of a sidewalk shall provide a direct linkage to the main entrance.

(L) *Outdoor storage and operations.*

(1) *Special use required.* Outdoor storage and/or operations in excess of fifty (50) percent of the project area shall require a special use.

(2) *Operations.* All operations, servicing and processing located within five-hundred (500) feet of a residential district boundary (except permitted outdoor storage, trash containers, renewable energy systems, off-street parking and off-street loading) shall be conducted within completely enclosed buildings. (Ord. 52-20; 8/25/20)

(3) *Storage.* All storage of materials or products shall be either:

(a) Within completely enclosed buildings; or,

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(b) Within a defined storage area in compliance with the following:

1. *Location of Outdoor Storage.* Outdoor storage shall not be permitted in any minimum front yard, minimum side yard or minimum rear yard;

2. *Screening.* Outdoor storage areas shall be screened from view from all public rights-of-way, residential districts, residential uses and commercial districts by buildings or:

a. A chain link, lattice, or similar type fencing with an open space of thirty (30) percent or greater, supplemented by a Type 2: Full Screening Landscaping (see §§ 154.330 through 154.339 for details) located between the edge of the outdoor storage area and lot line; or,

b. An ornamental, solid wall, architectural screen, masonry or similar type fence with an open space of less than thirty (30) percent, including entry/exit gates made of materials compatible with the fence, supplemented by a Type 1: Open Landscaping (see §§ 154.330 through 154.339 for details) located between the edge of the outdoor storage area and the lot line.

3. *Height of Fence.* The height above grade of said fence shall be at least six (6) feet and shall not exceed ten (10) feet; and

4. *Height of Outdoor Storage.* Outdoor storage of materials or products shall not exceed the height of the fence if located within five-hundred (500) feet of a residential district. At no time shall the height of outdoor storage exceed twenty (20) feet.